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9 COUNTY OF ALAMEDA
10 (Erroneously Sued as ALAMEDA COUNTY DISTRICT ATTORNEY)

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF ILLINOIS

13 IN RE: CLEARVIEW AI, INC., CONSUMER
14 PRIVACY LITIGATION

Case No. 1:21-cv-00135
MDL No. 2967

15 **COUNTY OF ALAMEDA'S CONDITIONAL
16 OPPOSITION TO PLAINTIFFS' MOTION TO
17 REMAND TO STATE COURT**

18 **Hon. Sharon Johnson Coleman**

1 On October 20, 2021, Plaintiffs filed a Motion to Remand (“Motion”) this case to the Superior
2 Court of California in Alameda County, where their Complaint was originally filed. (Dkt. Nos. 192,
3 193). Defendant COUNTY OF ALAMEDA (the “COUNTY”) hereby opposes Plaintiffs’ Motion to the
4 extent that the Motion relies on the proposition that the COUNTY is a properly joined defendant to this
5 action, as set forth in its Motion for Judicial Determination for Fraudulent Joinder or, in the Alternative,
6 Remand to State Court. (Dkt. No. 210.) The COUNTY maintains that it was fraudulently joined by
7 Plaintiffs solely to defeat federal diversity jurisdiction. However, as set forth in the COUNTY’s motion,
8 to the extent that the Court finds that the COUNTY is a properly joined defendant, this case should be
9 remanded to state court because the COUNTY is a non-diverse defendant that did not consent to removal
10 to federal court.

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12 Dated: November 24, 2021

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

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14 By: /s/ Michael C. Wenzel

15 Michael C. Wenzel
16 Attorneys for Defendant
17 COUNTY OF ALAMEDA
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